

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DAVID LESHER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-24-00651-JD
)	
CITY OF OKLAHOMA CITY,)	
)	
Defendant.)	

ORDER

Before the Court is the Motion to Dismiss filed by Defendant City of Oklahoma City (“Motion”). [Doc. No. 11]. The Motion challenges the sufficiency of Plaintiff’s claims in his original Complaint [Doc. No. 1].

In response to the Motion, Plaintiff timely filed an Amended Complaint under Federal Rule of Civil Procedure 15(a)(1)(B). *See* [Doc. No. 13]. Plaintiff’s amendment “supersedes the original and renders it of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *see Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180–81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007). Thus, the Motion is moot.

IT IS THEREFORE ORDERED that the Motion to Dismiss [Doc. No. 11] is DENIED as moot and without prejudice.

IT IS SO ORDERED this 11th day of October 2024.



JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE